

Declaration of John Elder Robison

November 19, 2017

I, John Elder Robison, declare as follows:

In October of 2016 I was retained to advise defendant Dylann Roof's defense team about autism from a first-person perspective.

About Me

I am a 59-year-old autistic adult best known as an advocate for autistic people in the areas of civil rights, public health policy, medical science, and education and social support services. I am the author of four popular books on life with autism – *Look Me in the Eye*, *Be Different*, *Raising Cubby*, and *Switched On*.

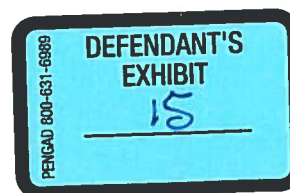
Look Me in the Eye and *Be Different* have been widely adopted as special education readers for autism instruction in schools and colleges. They are accepted parts of the public school curriculum in Massachusetts, New York, New Jersey, Wisconsin, Michigan, Texas, and in many local school districts. Both books are also assigned reading for hundreds of college courses. They are widely recommended to parents when clinicians deliver an autism diagnosis for a child.

Furthermore, I'm author or co-author of more than one hundred articles on autism and developmental difference, both in peer reviewed scientific journals and in popular media. I teach autism at William & Mary in Virginia where I am the neurodiversity scholar in residence and at Bay Path University in Massachusetts where I am a professor of practice.

My appointment at William & Mary is housed in the president's office of diversity and principally seated in the department of psychology. My appointment at Bay Path University is in the department of education.

In addition to teaching I serve the Secretary of Health and Human Services of the United States as an invited appointed member of the Interagency Autism Coordinating Committee (IACC.) Our committee produces the strategic plan for autism for the US Government, and the annual summary of advances in autism research and treatment for Congress. For the past four years my area of specialization on the committee has been detection of autism in people of all ages. For the annual reports I co-author the summary and introduction in conjunction with the head of the office of autism research coordination (OARC) and the director of the National Institutes of Mental Health (NIMH.)

With respect to defining autism, I have served since 2012 on the World Health Organization's ICF Autism Core Set steering committee. I am one of two representatives from the United States, and one of three representatives from the North American region. The World Health



Organization is responsible for generating the standard definitions of all disorders – including autism – and defining aspects of human function. This fall we released the latest ICF Autism Core Set.

Additionally, I am co-founder of TCS, a Massachusetts school program for teens with autism, emotional problems, and other developmental challenges. We work with children and teens that are at risk for becoming violent, and becoming self-injurious. Our program serves the public school districts of Western Massachusetts.

Over the last decade I have met with thousands of autistic people including a great many young adults. In 2012, when Adam Lanza (the Newtown school killer) was reported to be autistic I took a lead role in writing the official statement about autism and violence on behalf of the IACC. My focus at that time was the fact that autistic people are much more likely to be victims than perpetrators of aggressive violence.

Observations

Defense counsel have asked for a description of a meeting I had with Dylann Roof on the morning of Saturday, November 5 at the Charleston detention facility. The following is correct and complete to the best of my ability and contains my recollection and observations. All dialogue has been paraphrased and appears in *italic*.

To conduct this meeting I traveled to the jail with attorneys David Bruck and Kim Stevens. After signing in we entered a small private meeting room that was divided by a wall in the center. The wall had a heavy glass window with a screen to allow conversation to pass. Our side opened into the lobby. The other side opened into the prisoner area of the jail. We looked through the glass into an empty prisoner room as we awaited Mr. Roof's arrival.

After a few minutes the door opened and Mr. Roof appeared. I was immediately struck by his boyish appearance. His face was fixed in a slight smile; some might have called it a smirk. The boyish look and limited and inappropriate (inappropriate because he knew we were there for a very serious matter) facial expression are both common in autistic people.

One component of autism is developmental delay. Many people assume delay is limited to cognitive function. That is not always true. In conjunction with that, autistic people are often described as looking "child-like" or much younger looking than their age.

From the beginning, missing or inappropriate facial expressions have been part of the description of autistic people. Drs. Leo Kanner and Hans Asperger – the two "fathers" of today's autism diagnosis – both observed that in their respective clinics in Baltimore, Maryland and Vienna, Austria in the 1940s.

Mr. Roof continued to stand in the door. The two attorneys greeted him and I waved a hello from my seat behind them. *I can't stay and talk to you*, he said, as he moved to exit the room.

Hold on, Dylann, attorney Bruck responded, we need to talk to you. Jury selection starts Monday.

The conversation that ensued was not like that of an attorney questioning and counseling his adult client. Rather, it was immediately recognizable by any parent who has had to entice a recalcitrant twelve-year-old out of his room. Attorney Bruck's voice was gentle and coaxing. Mr. Roof's voice was almost inaudible. His speech was close to monotone, with a trace of fear or anxiety. Limited prosody (monotone) speech is common in autistic people.

The back and forth went on for several minutes during which time Mr. Roof appeared focused on the corrections officer who was waiting outside the door. He showed no concern for his lawyers who had come to see him on a Saturday morning, nor did he evince any urgency about preparing for his upcoming criminal trial, which was scheduled to commence the coming Monday.

I can't stay and talk to you. I told him (meaning the correctional officer) to wait I would just be a minute.

Each time Mr. Roof said that attorney Bruck would gently counter, *The officer knows you need to talk to us. We need you to stay. Please sit down.*

This went on for several minutes. For a person who was about to go on trial for his life the conversation struck me as detached from conventional reality. The back-and-forth carried on something like this:

Dylann, we need to go over some papers and your clothes for court on Monday. It will only take a minute.

A minute? Just a minute?

Yes, Dylann, it will be very quick.

No, I have to go.

Dylann, we really need you to go over this.

Mr. Roof did not appear interested in the papers his attorneys wanted to go over, and I wondered if he would leave almost as soon as he had entered. It looked like attorney Bruck was losing Mr. Roof's attention when attorney Stevens stepped in. *Look, Dylann*, she said, holding up her cell phone. She told him she had photos of the clothes one of the team members had just purchased for him to wear.

With that, he relented. The clothing turned out to be his real interest.

Take a look at these and see if they are what you want.

She held the phone up to the window so he could see the picture of a shirt or sweater. He leaned down and looked closely into the screen.

OK, I will stay but I can only stay a minute.

Mr. Roof sat down. After some introductory banter (which Mr. Roof was largely unresponsive to) the lawyers told him they did not want him appearing before potential jurors in jail coveralls. They discussed how he had come to a previous court appearance in coveralls despite their wish to the contrary. Both attorneys reaffirmed that it was important he dress appropriately on Monday.

Mr. Roof said he liked the look and feel of the jail coveralls quite a lot and he had previously expressed very specific requirements for clothes he would be willing to exchange for them. That brought them back to the photos in attorney Stevens' cell phone. As she held them up to the glass he reviewed each one intently and questioned details of every single image.

What is the pattern of that shirt? I can't see it.

She zoomed in to show the weave of the fabric and a discussion of the hooks and loops ensued. Mr. Roof had very specific ideas in that regard.

Where is the brown one I asked for?

Attorney Stevens flipped quickly through her photos, hunting for the requested image. She explained the attributes of each article and how it corresponded to his wishes. She also explained which items were in hand and what was on order.

With all this it was clear to me that Mr. Roof's clothing concerns went far beyond the simple desire to be dressed presentably, which was all his attorneys wanted. Mr. Roof's fixation on details seemed to me clearly obsessive. At several points he dismissed articles of clothing as "dorky" but in most cases his questions and objections revolved around the weight of the garment, its weave pattern and finally the style. To him, there were right choices and wrong ones, and the wrong items could not possibly be worn.

Attorney Bruck was mostly silent for that exchange. Where the first dialogue sounded like a father coaxing his twelve-year-old out of his bedroom, this conversation with attorney Stevens was like a mother talking to an autistic five-year-old who was unwilling to get dressed for school because he feared his clothes would be uncomfortable. I have observed many almost-identical encounters between staff at our school and young autistic children. But Mr. Roof was not a child. Immature as he appeared, he is 22. For that reason the exchange struck me as highly unusual.

Mr. Roof remained in a state of nervous agitation throughout the meeting. He got up, he sat down, and he got up again. Whenever his attorneys tried to direct his attention to matters of his defense he deflected. For example, they tried to tell him about witnesses they proposed to call, and he said he had to go. Then he changed his mind. He would take a look. *Show me the list*, he said, and attorney Stevens held her laptop up to the glass so he could read.

Who's that, he asked, pointing to a name on the sheet.

She's one of the officers, his attorney answered.

With that, Mr. Roof just moved on, showing no further interest. He had no question about what the witnesses might say, or why they were going to be there. I wondered if he was too

nervous to engage his attorneys in a constructive conversation about his defense or if he was oblivious to the magnitude of what was happening.

Mr. Roof spent more time quizzing attorney Stevens about the details of the clothes she was supposed to get him than he did about witnesses. He showed far more interest in thread patterns than potential testimony that might get him sentenced to death. I wondered if he was unable to see the issue of the trial due to extreme autistic self focus or if he was paralyzed by fear. Whatever the cause, I could see he and his attorneys had a serious problem if he was expected to take part in the construction of a defense.

Listening to his speech it was obvious Mr. Roof is an intelligent young man. But he seemed disconnected to the point of non-functionality. He was not at all catatonic; he was just in his own world through most of the meeting. He looked at the floor or off to the side through most of the conversation; a common trait of autistic people. His inability to focus on what his visitors wanted (trial preparation) and his obsessive focus on what he wanted (clothes that met his rigid specifications) was very characteristic of autism, both with respect to sensory issues and inability to recognize the thoughts and interests of others. Autism professionals refer to the latter as, "having a weak theory of mind." Obsessions and rigid thinking are also traits of autism, and they were clearly evident throughout this conversation.

Autistic individuals often have great difficulty shifting focus from one task or item to another. That causes observers to describe our minds as both fixated and very rigid. Thanks to our lack of mental flexibility we are often said to "miss the big picture" even as we have extraordinary command of some minutiae. That was certainly evident when Mr. Roof explored every possible detail about the attire he would wear to court even as he remained largely uninformed about the more important issues: an outline of the upcoming proceedings or the witnesses who would be called.

I wondered if a slower pace would allow Mr. Roof to resolve his concerns over clothing and move on to and evaluate and comment upon meaningful aspects of defense strategy. A person who was unfamiliar with autism might well dismiss the clothing concerns as irrelevant but to an autistic person who might feel tortured by the feel of "wrong" fabrics their correct selection is indeed paramount.

As the attorneys showed him paperwork he seemed bored and detached but I could not tell if he was disinterested in the defense issues or just overwhelmed by the decisions he felt were necessary around his clothes. Mr. Roof's detachment was broken when the subject of autism came up.

Mister Robison has come from Massachusetts to meet with you, attorney Bruck said.

I don't want to talk to him. I don't have autism. Nerds and losers have autism.

It was clear that the idea of autism did not fit with his self-image.

Attorney Bruck persisted in presenting me as an interesting person for his client to talk to:

You're concerned about how your Wikipedia page looks. Mister Robison has a Wikipedia page too, and he knows how to manage when untrue things get posted. While I appreciated attorney Bruck vouching for me I could not help but marvel at the idea that Mr. Roof was on trial for his life and he seemed more concerned with the feel of his clothes and the risk of personal embarrassment over his depiction on Wikipedia.

After a few minutes of non-productive back and forth the attorneys stepped out, leaving me alone with Mr. Roof.

I appreciate you coming here, but I don't need your help. I'm not autistic.

There's nothing wrong with me. The state psychiatrist told me there is nothing wrong with me.

He said I don't have autism. I'm just a sociopath.

It appeared that Mr. Roof was comfortable with the idea of being seen as a sociopath, and I actually saw a brief bigger smile at those words. Mr. Roof did not seem to realize the jurors in his upcoming trial would not be likely to share his seemingly positive view of sociopathy. Nor would they be likely to think a person described that way would "have nothing wrong with them," as he suggested. He rejected the idea of autism whatever I said. His response was, *Nerds and losers have autism.*

Don't tell me I have autism.

Then he said something striking:

I'm going to get pardoned in four or five years. This doesn't matter. Please don't come here and testify for me. I don't need or want you here. He spoke with what seemed like the greatest earnestness.

Prior to that moment I had seen many traits of autism in Mr. Roof. However that statement struck me as different. It seemed delusional, particularly as he seemed so serious when he said it. No reasonable person could plan and commit mass murder, admit what he had done to the authorities, and then contemplate his exoneration and release a few years later.

Detachment from reality and psychosis are not traits of autism. I realized I'd seen that before, when I reviewed evidence of psychosis and delusion while analyzing the actions of Newtown killer Adam Lanza. After those killings the media reported Lanza was autistic, and there was a substantial outcry against innocent autistic people, particularly kids in school. IACC members agreed that we had to make a public statement and I took a lead in formulating it. In our committee we had discussed research that shows that while autism does not necessarily produce delusion and psychosis, it is not protective against them either. In other words, an autistic person is just as able to suffer serious mental illnesses as anyone else, and autism actually increases the risk for some disorders.

Watching Mr. Roof I recalled public health studies presented to IACC that said autistic people are two to five times more likely to suffer from depression and anxiety, and nine times more likely to commit suicide. One report – from the British group Autistica – said 60% of autistic

people had suicidal ideation. In our committee we discussed the serious threat that presented to mental health, and how that can contribute to breakdown and disconnection.

Mr. Roof told me the attorneys were making things up about him, to make it look like there was something wrong with him. He repeated he was not autistic, and he said he'd written a letter about the behavior of his lawyers. Once again I was struck by the dissonance between what was actually going on and what he perceived. In the short time we spent together it was obvious to me that Mr. Roof's legal team was very strongly committed to his defense, and was acting in his best interest. It was surprising to hear that he had formed the exact opposite impression.

If I were on trial for my life, I would encourage my attorneys to say or do anything in their power to present me in a way that would get merciful treatment from the court. The idea that Mr. Roof would reject his attorneys' advice with the suggestion that "autism is for losers and nerds" was shocking given the context. The only explanation I could see is that people (in a more normal context, like diagnosis in public school) are often ashamed of an autism diagnosis, and one of the biggest problems in delivering autism services to teens is rejection of the diagnosis by the individuals and their parents.

That concern is generally thought to be founded on fear of embarrassment in the community. Mr. Roof has a much more serious problem to face. Yet he seemed unable to even consider the idea of autism, even as he embraced the suggestion of sociopathy, and it frightened me that he might end up sabotaging his own defense because he placed personal embarrassment ahead of defense of his life in the courtroom. In addition, his statement to me that he would be pardoned in a few years made it seem like his grasp on reality and his resultant decision making problems went well beyond embarrassment.

Given more time I wondered if Mr. Roof might come to accept what his defense team had found, and the direction they wanted to follow in representing him. We never got to discuss that.

He said he had to go. And he left the room.

Concerns for Court Regarding Autistic People

My time with Mr. Roof was brief, but it was sufficient for me to make the observations and form the opinions stated above. Based on that I offer these concerns about his ability to assist in his defense:

1. Mr. Roof appears to have extreme sensory sensitivities, as evidenced by his perseveration over his clothes, and his attention to their most minute details. Comfortable clothing will reduce stress, but that alone may not be enough. A person with sensory sensitivities may be sensitive to more than one stimulus. For example, he may be sensitive to odor, noise or light. Unexpected noises or even uncomfortable courtroom furniture could present problems for him. Sensory stress may precipitate a wide variety of unwanted behavior.
2. Many autistic people have problems with executive functioning - the ability to organize one's self to conduct one's daily affairs. In the context of court this disability might be mitigated by coaching Mr. Roof about what to expect each day before court, and by having a counselor available during the sessions to assist him in processing what is going on.
3. Many autistic people need ritual and routine to feel secure in their lives. Many non-autistic people have "morning rituals" but for an autistic person such rituals may be more extreme, more obsessive, and more necessary for function. If the court routine is not perfectly predictable that unpredictability may present a problem for Mr. Roof. As with executive function, the autistic person in court may be reassured when presented with a predictable, stable routine. The more sameness, the better. Same steps to get ready. Same path to court. Breaks and meals at predictable times.
4. Stress from any of the factors above may cause Mr. Roof a cognitive overload, which autism therapists refer to as a "meltdown." If that happens he could shut down or have an inappropriate outburst. Such a display could be prejudicial to an uninformed jury. To avoid that, he could be given access to a quiet room – a safe calm space – where he could retreat in times of stress.
5. Like many autistic people, Mr. Roof's expressions do not seem to follow the emotional rhythm of a conversation, and they are often inappropriate. For example, if a typical person heard, "I just hurt my knee," they might wince or display an immediate expression of sympathy. That response appears very weak or lacking in Mr. Roof, and I am therefore concerned that jurors might find his seeming lack of response to emotion during charged testimony disturbing.

Scientific studies have shown that autistic people may have strong neurological and physical reactions to things we see and hear, even as we give little or no outward

manifestation. Therefore, all we can say with certainty is that we may not see visible evidence of what Mr. Roof feels. His visible displays may not be at all indicative of his inward state of mind. On several occasions I saw a substantial disconnect between the words being spoken to Mr. Roof (serious) and his expression (smiling.)

My observation was that he had a limited range of facial expression. At no time did I see wide-ranging facial expression or an expression of extreme happiness or dissatisfaction, even as he expressed such thoughts in words.

My concern for court would be that uninformed jurors could be shocked if Mr. Roof were to smile at inappropriate times during testimony, and his autistic behavior might therefore prejudice them against him. To protect against that, jurors could be informed of his autism and how that may affect his appearance.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of November, 2016

John Elder Robison

A handwritten signature in black ink, appearing to be 'JR' with a large loop at the end.